

**DECLARATION OF JONATHAN D. EVANS IN SUPPORT OF RULE**

**60(b) MOTION**

I, Jonathan D. Evans, declare as follows:

1. I am counsel of record for Plaintiff Michael Ejiajwoko in this matter. I make this declaration of my own personal knowledge, and I could and would competently testify to the matters stated herein.
2. After filing the complaint, I attempted to proceed with service and submitted a request for issuance of summons. The filing was rejected due to a formatting error on the face page. It was always my intention to pursue service promptly, and the rejection was due solely to a clerical defect rather than any lack of diligence.
3. During the period in which the Court issued its Order to Show Cause, I was engaged in an ongoing trial in another matter, with courtroom obligations that made it difficult to timely submit the corrected summons or respond by the deadline. My absence was not willful and was caused by the professional obligation of being physically in trial.
4. I did not intend to ignore the Court's Order, and the failure to respond to the OSC was inadvertent and the result of excusable neglect.
5. I am prepared to immediately correct the clerical error and will re-submit the summons for issuance within three (3) days of reinstatement of the action. I will then promptly effect service.
6. Because no defendant has yet been served, no prejudice has been caused to any opposing party by the delay.

7. I respectfully request that the Court grant relief under Federal Rule of Civil Procedure 60(b)(1), reinstate this action, and allow Plaintiff to proceed with service of process.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 25 day of November, 2025, in Pasadena, California.

/s/Jonathan D. Evans

**Jonathan D. Evans**

Counsel for Plaintiff

Salazar Evans LLP